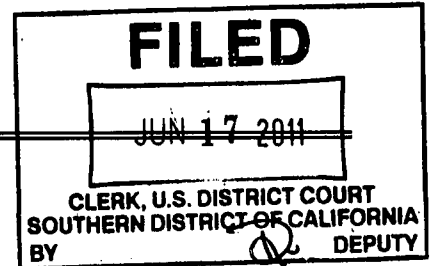


AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 1



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

JEROME EUGENE WELCH (1)

AMENDED JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 10CR1961-BTM

Kerry Lee Armstrong

Defendant's Attorney

REGISTRATION NO. 21040298

☒ Modification of Restitution Order (18 U.S.C. § 3664) and Fine.

THE DEFENDANT:

☒ pleaded guilty to count(s) One of the Information

☐ was found guilty on count(s) \_\_\_\_\_

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 2252(a)(4)(B)	Possession of Images of Minors Engaged in Sexually Explicit Conduct	1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_

☐ Count(s) \_\_\_\_\_ is ☐ are ☐ dismissed on the motion of the United States.

☒ Assessment: \$100.00 To be paid forthwith.

☒ Fine \$1400.00

☐ Forfeiture pursuant to order filed \_\_\_\_\_, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

MAY 18, 2011

Date of Imposition of Sentence

Barry Ted Moskowitz  
HON. BARRY TED MOSKOWITZ  
UNITED STATES DISTRICT JUDGE

10CR1961-BTM

DEFENDANT: JEROME EUGENE WELCH (1)

CASE NUMBER: 10CR1961-BTM

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of THIRTY (30) MONTHS.

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☐ The court makes the following recommendations to the Bureau of Prisons:

*Barry Ted Moskowitz*  
BARRY TED MOSKOWITZ  
UNITED STATES DISTRICT JUDGE

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_  
as notified by the United States Marshal.
- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☒ on 07/1/2011 by 12:00PM or to this court by 2:00 PM on the same date.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

**RETURN**

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

10CR1961-BTM

AO 245D (Rev. 3/10) Judgment in a Criminal Case for Revocations  
Sheet 3 — Supervised Release

Judgment—Page 3 of 7

DEFENDANT: JEROME EUGENE WELCH (1)

CASE NUMBER: 10CR1961-BTM

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :  
TEN (10) YEARS.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 1 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backing Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 4 — Special Conditions

Judgment—Page 4 of 7

DEFENDANT: JEROME EUGENE WELCH (1)  
CASE NUMBER: 10CR1961-BTM

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### SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☒ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☒ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer. The Court authorizes the release of the pre-sentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant shall consent to the release of evaluations and treatment information to the probation officer and the Court by the mental health provider.
- ☐ Forthwith apply, enter and and complete a Residential Drug Treatment Program approved by the Probation Officer.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of commencing upon release from imprisonment. This condition terminates with entry into a residential drug treatment program.
- ☒ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within                      days.
- ☐ Complete                      hours of community service in a program approved by the probation officer within
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
- ☒ If the defendant has complied with all of the terms of Supervised release for a period of 6 years, Supervised Release may be terminated on application to the Court and good cause shown.
- ☐ If deported, excluded, or allowed to voluntarily leave the United States, obey all laws federal, state and local and not reenter the United States illegally and report to the probation officer within 72 hours of any reentry to the United States; the other conditions of supervision are suspended while the defendant is out of the United States after deportation, exclusion, or voluntary departure.

AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 3 — Continued 2 — Supervised Release

Judgment—Page 5 of 7

DEFENDANT: JEROME EUGENE WELCH  
CASE NUMBER: 10CR1961-BTM

### SPECIAL CONDITIONS OF SUPERVISION

X The Defendant complete a sex offender evaluation, which may include periodic psychological, physiological testing, and completion of the ABEL assessment, at the direction of the court or probation officer; and that the defendant participate and successfully complete an approved state-certified sex offender treatment program, including compliance with all lifestyle restrictions and treatment requirements of the program. The defendant shall allow reciprocal release of information between the probation officer and the treatment provider, and pay all costs associated this treatment.

X The defendant shall participate in a program of mental health treatment, specifically related to sexual offender therapy. The defendant shall enter, cooperate and complete any such program until released by the probation officer. The defendant shall abide by all program rules and regulations, including participating in any clinical psycho-sexual testing and/or assessment, at the direction of the probation officer or therapist. The Court authorizes the release of the pre-sentence report and available psychological evaluations to the mental health provider, as approved by the probation officer.

X The defendant shall not use a computer, recording device, facsimile or similar device to access child pornography. The defendant shall consent to random inspection of the computer and to the installation of computer software that will enable the probation officer to monitor computer use on any computer owned, used, or controlled by the defendant. The defendant shall pay for the cost of installation of the software. The defendant shall not possess or use any data encryption techniques or program.

X The defendant shall not knowingly associate with or have any contact with, any sex offenders unless in an approved treatment and/or counseling setting.

X The defendant shall not be employed in or participate in any volunteer activity that involves contact with children under the age of 18, except under circumstances approved in advance (and in writing) by the probation officer.

X The defendant shall consent to third party disclosure to any employer, potential employer, concerning any restrictions that are imposed by the Court.

X The defendant shall not possess any child or adult erotica, pornographic or sexually oriented/stimulating materials, including visual, auditory, telephonic, or electronic media, and computer programs; and shall not patronize any place where such materials or entertainment is available.

X The defendant shall register with the state sex offender registration agency in any state where the defendant resides is employed, carries on a vocation, or is a student, as directed by the probation officer. The probation officer will provide the state officials with any and all information required by the state sex offender registration agency. The defendant shall register with the state sex offender registration agency in any state where the defendant resides, throughout the period of supervision. This requirement includes any state where the offender may reside, work, or is a student.

AO 245S Judgment in Criminal Case  
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 6 of 7

DEFENDANT: JEROME EUGENE WELCH (1)  
CASE NUMBER: 10CR1961-BTM

**FINE**

The defendant shall pay a fine in the amount of \$1400.00 unto the United States of America.

This sum shall be paid        immediately.  
  x   as follows:

To paid by June 30, 2011

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

       The interest requirement is waived.

       The interest is modified as follows:

10CR1961-BTM

AO 245S Judgment in Criminal Case  
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 7 of 7

DEFENDANT: JEROME EUGENE WELCH (1)  
CASE NUMBER: 10CR1961-BTM



### RESTITUTION

The defendant shall pay restitution in the amount of \$3600.00  
(\$1800.00 per victim)

This sum shall be paid        immediately.  
  x   as follows:

By June 30, 2011

Victim 1 \$1800 to be paid to:  
The Trust account for "Amy  
C/O James Marsh, The Marsh Law Firm, PLLC  
P.O. Box 4668 #65135  
New York, New York 10163-4668

Victim 2 \$1800 to be paid to:  
The "L.S." Trust Fund  
C/O John Ratcliffe, Ashcroft Law Firm  
1700 Pacific Avenue, Suite 3600  
Dallas, Texas 75201

The Court has determined that the defendant        does        have the ability to pay interest. It is ordered that:

       The interest requirement is waived.

       The interest is modified as follows: